

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

PIERRE JORDAN,)
vs. Plaintiff,)
DR. DEE DEE BROOKHART,) Case No. 17-cv-0625-MJR-SCW
Defendant.)

ORDER ADOPTING REPORT AND RECOMMENDATION

REAGAN, Chief Judge:

This is a prisoner civil rights lawsuit brought under 42 U.S.C. 1983 by Pierre Jordan (Plaintiff), who was incarcerated at Lawrence Correctional Center when he filed this suit and is now confined at Pontiac Correctional Center. The claim in this case -- a First Amendment access-to-courts claim -- was severed out from *Jones v. Lamb, et al.*, Case No. 17-0207-SMY, and opened as the above-captioned case number. On threshold review under 28 U.S.C. 1915A, the Court found cognizable Plaintiff's claim that Dr. Brookhart¹ interfered with or obstructed Plaintiff's right to meaningful access to the courts (a right safeguarded by the First Amendment) by instructing a law librarian to deny certain requests by Plaintiff, which resulted in Plaintiff missing a key filing deadline.

Defendant Brookhart answered the complaint, a discovery schedule and trial

¹ The individual named in Plaintiff's complaint as "Dr. Brookhart" has been more completely identified as Dr. Dee Dee Brookhart (see, e.g., Docs. 9, 15). The Clerk's Office shall update the docket sheet to correctly reflect this defendant's name.

practice schedule were entered, and the case moved forward. Plaintiff filed motions seeking injunctive relief (Docs. 14, 22).² More specifically, Plaintiff asks the Court to issue an order enjoining Defendant Brookhart (as well as a host of nonparties to this lawsuit) from violating Plaintiff's right to court access, right to freedom from sexual harassment, right to freedom from racial discrimination, right to freedom from retaliation, and right to be free of other harms.

Defendant opposed the motions (Docs. 15, 25). Now before the Court is a Report and Recommendation submitted by the Honorable Stephen C. Williams, United States Magistrate Judge (Doc. 34, R&R). The R&R recommends that the undersigned deny as moot the motions for preliminary injunction and temporary restraining order. In a thorough and well-reasoned R&R, Judge Williams delineates the standards governing motions for preliminary injunctions and temporary restraining orders and then explains that Plaintiff's various requests directed to alleged problems/violations at Lawrence Correctional Center have been rendered moot by his transfer to a different institution. The R&R concludes (Doc. 34, pp. 6-7)

A prisoner's request for injunctive relief is rendered moot by his transfer to another prison. [Citations omitted.] ... Plaintiff is currently housed at Pontiac, not Lawrence, and has made no showing that he is likely to be transferred back to Lawrence anytime in the future. Defendant Brookhart is no longer in a position to be able to cause Plaintiff any of the harms alleged in Plaintiff's motions.

The R&R plainly stated that any objection must be *filed* by September 7, 2018. That date passed, with neither an objection nor a motion for extension of the objection

² Doc. 22 was docketed as a motion for order to show cause but plainly requested issuance of a preliminary injunction.

deadline filed by any party. Because no objection was lodged against the R&R, the undersigned need not conduct de novo review of the R&R. 28 U.S.C. 636(b)(1)(C) (A judge shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.); *Thomas v. Arn*, 474 U.S. 140 (1985); *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 741 (7th Cir. 1999); *Video Views Inc., v. Studio 21, Ltd.*, 797 F.2d 538 (7th Cir. 1986).

The Court **ADOPTS** in its entirety Judge Williams' R&R (Doc. 34) and **DENIES AS MOOT** Plaintiff's motions (Docs. 14, 22).

IT IS SO ORDERED.

DATED September 10, 2018.

s/ Michael J. Reagan

Michael J. Reagan
United States District Judge